

# Exhibit 2

## Maya M. Eckstein

**PARTNER**

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With more than 20 years of experience in complex commercial litigation and appeals, Maya has successfully represented clients in a wide range of industries and matters. She has an established track record of achieving positive results for her clients, whether by jury verdict, appeal, settlement, or pre-litigation counseling.

Many of Maya's cases have focused on intellectual property matters, including patent, trade secrets and trademark matters. She has represented clients in matters involving various technologies, including cable television, hearing aid, electronic payments, wireless email, home construction, and other technologies, as well as in ANDA litigation.

Maya also has achieved client victories in litigation and on appeal in matters involving statutory violations, constitutional questions, trade secret misappropriation, contract issues, and product liability. She has significant experience planning, coordinating and executing the defense of complex litigation involving multiple defendants and jurisdictions, including multidistrict litigation.

Maya served in 2001 as a Judicial Clerk for the Honorable Roger L. Gregory of the U.S. Court of Appeals for the Fourth Circuit. Over the course of her legal career, Maya has received numerous honors from various organizations and publications, including the American Inns of Court, the Virginia State Bar, Chambers USA, Benchmark Litigation, Virginia Business Magazine, Virginia Super Lawyers, The Best Lawyers in America (IP), and Inside Business.

Maya is the former head of the firm's Intellectual Property Practice Group, sits on the firm's Associates Committee, and is Co-Chair of the Richmond office's Pro Bono Committee. Among other things, she regularly represents parents on a pro bono basis in federal international child abduction cases.

### Experience

- Lead counsel for defendant governmental entity in class action alleging violations of constitutional and federal law. The matter is pending.
- Appellate counsel for respondent in international child abduction case, in which the trial court ruled in her favor. The Fourth Circuit affirmed and the U.S. Supreme Court denied the petitioner's petition for writ of certiorari.

**Maya M. Eckstein**

- Appellate counsel for defendant governmental entity in case involving the plaintiff's request for attorney's fees. The matter is pending decision.
- Appellate counsel for defendant governmental entity in case involving alleged violations of constitutional law. The matter is pending decision.
- Trial and appellate counsel for defendant in trade secret misappropriation suit. A federal jury returned a favorable verdict and was affirmed on appeal.
- Trial and appellate counsel for plaintiff in antitrust and breach of contract suit. A federal jury found in the plaintiff's favor on all counts and awarded significant damages, which were affirmed on appeal.
- Lead counsel for defendant in trade secret misappropriation suit. The case settled favorably.
- Lead counsel for defendant school board in suit alleging violations of US Constitution and federal statutory law. The case settled favorably.
- Lead counsel for defendant governmental entity in suits alleging violations of US Constitution and federal statutory law. The cases settled favorably.
- Trial counsel for patent holder in Energy Transportation Group, Inc. v. Sonic Innovations, Inc. et al. Civ. Act. No. 05-422(GMS) involving hearing aid technology. The jury returned a verdict for client ETG, finding willful patent infringement and awarding damages of \$31 million against two defendants. The Federal Circuit affirmed the jury's verdict and the trial court's post-trial rulings.
- Trial counsel for patent holder in infringement litigation involving cable television technology. After obtaining successful ruling in week-long trial on licensing issues, case was favorably settled with multi-million dollar license.
- Trial counsel for patent owner ePlus in ePlus, Inc. v. SAP, Civil Action No. 3:05cv281 (E.D. Va.) in infringement litigation involving electronic procurement systems. Case was favorably settled while awaiting the court's decision following a four-week trial.
- Lead counsel for defendant in litigation involving QR codes. The case settled favorably.
- Lead counsel for defendant in ANDA patent litigation. The case settled favorably.
- Lead counsel for defendant in litigation involving secure online transactions. The case settled favorably.
- Lead counsel for defendant in litigation involving smartphone app technology. The case settled favorably.
- Lead counsel for defendant in litigation involving POS technology. The case settled favorably.
- Lead counsel for defendant in litigation involving website searching technology. The case settled favorably.
- Lead counsel for defendant in federal court and ITC litigation involving USB thumb drive technology. Both cases resolved favorably.

**Maya M. Eckstein**

- Lead counsel for defendants in litigation involving ownership of patents covering wireless email technology. The case settled favorably.
- Lead counsel for defendant in patent infringement litigation involving technology relating to parking systems. The case resolved favorably.
- Lead counsel for defendant in patent infringement litigation involving package tracking technology. The case settled favorably.
- Lead counsel for patent holder in infringement litigation relating to document security technology. The case was favorably settled.
- Lead counsel for defendant in patent infringement litigation involving utility and design patents. The case was favorably settled.
- Lead counsel in ICC arbitration involving dispute over patent license agreement. The case was favorably settled.
- Lead counsel for defendants in patent infringement litigation involving above-ground storage tanks. Case was favorably settled with no-cost license for defendants.
- Counsel for Fortune 500 company in trademark infringement litigation against competitor. Case was favorably settled.
- Lead counsel for defendant Interactive Communications International, Inc. in TGIP, Inc. v. AT&T Corp. et al, (E.D. Tex.). After obtaining summary judgment of non-infringement on majority of products at issue, settlement reached resulting in dismissal before trial.
- Counsel for patent owner in infringement litigation to prevent defendant companies from using technology related to wireless email. Case was favorably settled after receiving jury verdict of infringement and validity.

## Accolades

- Recognized as a Leader in Intellectual Property, Southern Virginia, *Chambers USA*, 2009–2024
- Named a Litigation Star, Virginia, *Benchmark Litigation*, 2022–2024
- Selected as a Super Lawyer for Intellectual Property Litigation, *The Washington Post Magazine* and *Virginia & West Virginia Super Lawyers Magazine*, 2007–2024
- Recognized as a Best Lawyer for Litigation – Intellectual Property and Litigation – Patent, *The Best Lawyers in America*, 2009–2024
- Selected as a “Woman Leader in The Law” by ALM Media’s Legal Leaders, 2023
- Lawyer of the Year in Intellectual Property Litigation, *Best Lawyers* 2022
- Named among the Legal Elite for Intellectual Property/Information Technology Law, *Virginia Business Magazine*, 2022



## Maya M. Eckstein

- Recognized as a 'Go To Lawyer' for intellectual property law by *Virginia Lawyers Weekly*, 2022
- Named a Patent and Trademark Star for District of Columbia and Virginia in the IP Stars Handbook published by *Managing Intellectual Property*, 2014-2021
- *Benchmark Litigation* Top 250 Women in Litigation, 2012; Future Star, 2013-2020
- Top 50 Women *Virginia Super Lawyers*, 2016
- "Future Litigation Star," *Benchmark Litigation Guide*, 3rd ed., 4th ed., 5th ed.
- Selected as one of 2015's Women Leaders in the Law by ALM
- 2015 Class of "Influential Women of Virginia," *Virginia Lawyers Weekly*
- *Managing Intellectual Property*, Top 250 Women in IP, 2013
- AV® Peer Review Rated in Martindale-Hubbell
- Martindale-Hubbell Top-Rated Lawyers in Intellectual Property Law, 2014
- Metro Richmond Women's Bar Association Woman of Achievement Award, 2008
- "Up and Comers," *Chambers USA*, 2008
- Sandra Day O'Connor Award for Professional Service, American Inns of Court, 2000

## Affiliations

### Professional

- Thomas Jefferson Intellectual Property American Inn of Court

## Education

JD, Syracuse University College of Law, magna cum laude, Associate Notes and Comments  
Editor, *Syracuse Law Review*, Order of the Coif

BS, Kent State University, cum laude

## Admissions

District of Columbia

New York

Virginia

Maya M. **Eckstein**

## Clerkships

US Court of Appeals, Fourth Circuit

## Languages

Hebrew

## Areas of Focus

Intellectual Property

Patent Litigation

Intellectual Property and Technology Transactions

Trade Secrets Counseling and Litigation

Appeals

Fourth Circuit Court of Appeals

Litigation

Rocket Docket Practice (US District Court for the Eastern District of Virginia)

Antitrust and Consumer Protection

3D Printing

Financial Services

## News

[News | June 28, 2024](#)

Virginia State Bar Recognizes 56 Hunton Andrews Kurth Attorneys for Pro Bono Service

[News | June 6, 2024](#)

Chambers USA Recognizes Hunton Andrews Kurth Among Top Firms in 2024 Guide

[News | April 25, 2024](#)

Super Lawyers Honors 22 Hunton Andrews Kurth Lawyers in Virginia

**Maya M. Eckstein**

News | December 13, 2023

Virginia Business Magazine Honors 19 Hunton Andrews Kurth Attorneys as Legal Elite

News | October 5, 2023

Benchmark Litigation 2024 Recognizes Hunton Andrews Kurth

News | August 21, 2023

Best Lawyers in America 2024 Recognizes 293 Hunton Andrews Kurth Attorneys

News | June 21, 2023

Virginia State Bar Names 37 Hunton Andrews Kurth Attorneys to Pro Bono Honor Roll

News | June 1, 2023

Chambers USA Recognizes Hunton Andrews Kurth Among Top Firms in 2023 Guide

News | April 28, 2023

Super Lawyers Honors 20 Hunton Andrews Kurth Lawyers in Virginia

News | December 7, 2022

Virginia Business Magazine Honors 24 Hunton Andrews Kurth Attorneys as Legal Elite

Media Mention | October 20, 2022

Mentioned, Afghan couple accuse US Marine of abducting their baby, *Associated Press*

News | September 29, 2022

Benchmark Litigation 2023 Recognizes Hunton Andrews Kurth

Media Mention | September 26, 2022

Featured, Virginia's Go To Lawyers for Intellectual Property Law, *Virginia Lawyers Weekly*

News | September 8, 2022

Virginia Lawyers Weekly Names Maya Eckstein a 2022 Go To Lawyer

News | August 18, 2022

Best Lawyers in America 2023 Recognizes 261 Hunton Andrews Kurth Attorneys

News | June 1, 2022

Chambers USA Recognizes Hunton Andrews Kurth Among Top Firms in 2022 Guide

News | May 2, 2022

Super Lawyers Recognizes 20 Hunton Andrews Kurth Lawyers in Virginia

Media Mention | April 28, 2022

Quoted, Honda Orders Big Takedown of Honda-Related 3D Printing Models From Maker Communities, *New Technology Era*

**Maya M. Eckstein**

**Media Mention | April 13, 2022**

Quoted, Honda Orders Big Takedown of Honda-Related 3D Printing Models From Maker Communities, *The Drive*

**Media Mention | February 1, 2022**

Quoted, Open-source advocates: ORN's 'SkyBAAM' 3D printer "copying" earlier Hangprinter technology, *3D Printing Industry*

**News | November 2, 2021**

Hunton Andrews Kurth Verdict Recognized in the National Law Journal's Hall of Fame

**News | October 12, 2021**

The American Antitrust Institute Honors Hunton Andrews Kurth in 2021 Antitrust Enforcement Awards

**News | September 30, 2021**

Benchmark Litigation 2022 Recognizes Hunton Andrews Kurth

**News | August 27, 2021**

For Third Consecutive Year, The National Law Journal Names Hunton Andrews Kurth To the Appellate Hot List

**News | August 24, 2021**

Best Lawyers in America 2022 Recognizes 205 Hunton Andrews Kurth Attorneys

**News | June 18, 2021**

Managing Intellectual Property Ranks Hunton Andrews Kurth's IP Practices and Individuals Highly in 2021 IP STARS Handbook

**News | May 25, 2021**

Chambers USA Recognizes Hunton Andrews Kurth Among Top Firms in 2021 Guide

**News | May 6, 2021**

Super Lawyers Recognizes 22 Hunton Andrews Kurth Lawyers in Virginia

**News | October 2, 2020**

Benchmark Litigation Recognizes Hunton Andrews Kurth in 2021 Rankings

**News | August 4, 2020**

Managing Intellectual Property Recognizes Hunton Andrews Kurth Practices and Individuals in 2020 Edition of Intellectual Property Stars Handbook

**News | April 27, 2020**

Chambers and Partners Recognizes Hunton Andrews Kurth Among Top Firms in USA 2020 Guide

**Maya M. Eckstein**

News | March 5, 2020

Hunton Andrews Kurth Named 2020 Virginia Firm of the Year by Benchmark Litigation

News | October 28, 2019

The National Law Journal Names Hunton Andrews Kurth to the 2019 Appellate Hot List

News | October 1, 2019

Benchmark Litigation Recognizes Hunton Andrews Kurth in 2020 Rankings

News | August 15, 2019

127 Hunton Andrews Kurth Attorneys Recognized by The Best Lawyers in America® 2020

News | July 24, 2019

The National Law Journal Recognizes Hunton Andrews Kurth in the Nation's Top 100 Verdicts of 2018

News | May 21, 2019

Managing Intellectual Property Recognizes Hunton Andrews Kurth in 2019 Edition of Intellectual Property Stars Handbook

News | April 25, 2019

Chambers and Partners Recognizes Hunton Andrews Kurth Among Top Firms in USA 2019 Guide

News | October 26, 2018

Hunton Andrews Kurth Announces 2019 Benchmark Litigation Rankings

News | August 15, 2018

128 Hunton Andrews Kurth Lawyers Recognized by The Best Lawyers in America® 2019

News | May 16, 2018

Hunton Andrews Kurth Recognized Among Top Firms in Chambers USA 2018 Guide

News | June 12, 2017

Chambers USA Names Hunton Among Leading Law Firms

Media Mention | April 7, 2017

Quoted, 5 Recent Federal Circuit Rulings IP Attorneys Need to Know, *Law360*

News | January 30, 2017

Hunton & Williams LLP Announces 2017 Benchmark Litigation Rankings

Media Mention | January 17, 2017

Quoted, 3 Legal Challenges In-House Counsel Face With 3-D Printing

News | November 22, 2016

Trump's Trademark Ownership Could Signal Pro-IP Positions



**Maya M. Eckstein**

**News | June 3, 2016**

Hunton & Williams Announces Standings in Chambers USA 2016

**News | May 31, 2016**

Maya Eckstein discusses the legal challenges and regulatory risks of 3D printing in a podcast with Compliance Week

**Media Mention | May 6, 2016**

Quoted, Regarding SEC's Revolving Door, 4 Ways to Protect Your Company from the Legal Risks of 3D Printing, *Chief Executive*

**Media Mention | April 21, 2016**

Quoted, Hunton & Williams Launches 3D Printing Team, *Legaltech news*

**News | April 21, 2016**

Maya Eckstein speaks with 3DPrint.com on the new Hunton & Williams 3D Printing Practice

**News | April 20, 2016**

Hunton & Williams Launches 3D Printing Team To Guide Clients Through Emerging Technology's Legal Complexities

**News | January 11, 2016**

Hunton & Williams LLP Announces 2016 Benchmark Litigation Rankings

**News | October 19, 2015**

Law360 discusses recent patent case rulings with Maya Eckstein

**News | September 1, 2015**

InsideCounsel Discusses IP Litigation Best Practices with Maya Eckstein

**News | May 27, 2015**

Hunton & Williams Announces Standings in Chambers USA 2015

**News | April 20, 2015**

Law360 speaks about fee awards with Maya Eckstein

**News | April 17, 2015**

Maya Eckstein discusses top IP rulings by Federal Circuit with Law360

**News | April 15, 2015**

Hunton Partner Maya Eckstein Among Most Influential Women of Virginia

**News | May 27, 2014**

Environmental Practice Wins Chambers USA Award of Excellence; 32 Practices, 86 Lawyers Ranked

**Maya M. Eckstein**

**News | January 9, 2014**

Maya Eckstein Talks Willful Patent Infringement to *Law360*

**News | December 20, 2013**

Hunton & Williams LLP Partner Maya Eckstein Named Among Top 250 Women in IP

**News | June 24, 2013**

Hunton & Williams LLP Attains 33 Practice and 91 Lawyer Rankings in Chambers USA 2013

**News | June 3, 2013**

*Law360* Q&A with Hunton & Williams' Maya Eckstein

**News | December 12, 2012**

Hunton & Williams LLP Announces 2013 Benchmark Litigation Rankings

**News | June 7, 2012**

Hunton & Williams LLP Maintains Top-Tier Rankings in Chambers USA 2012

**News | March 12, 2012**

Hunton & Williams LLP Announces 2012 Benchmark Litigation, Benchmark Appellate Rankings

**News | June 14, 2011**

Hunton & Williams LLP Maintains Top-Tier Rankings in Chambers USA 2011

**News | December 3, 2008**

Hunton & Williams LLP's Maya Eckstein Receives Metropolitan Richmond Women's Bar Association Women of Achievement Award

## Insights

### Legal Updates

**Legal Update | June 23, 2015**

Supreme Court Upholds Longstanding Precedent That Accrual of Patent Royalties Ends With Expiry of Patent

**Legal Update | August 15, 2012**

Don't Let Your Right to Petition for *Inter Partes* Review Slip Away

**Legal Update | May 7, 2009**

Is It Death Or Merely "A Flesh Wound": Business After *Bilski*

**Legal Update | April 4, 2008**

The Federal Circuit Provides Guidance on Obviousness Post *KSR*

**Maya M. Eckstein**

## **Events & Speaking Engagements**

### **Event | March 28, 2019**

Speaker, Emerging Technology Issues Shaping Your Business

### **Event | September 25, 2018**

Panelist, The Trade Secrets Decision Calculus: Risk v. Return, The Women in Law Summit Series – Women's IP Strategy Summit, Palo Alto, CA

### **Event | June 13-15, 2018**

Presenter, "Analyzing the 3D Printing Regulatory Landscape," The Legal, Regulatory and Business Conference on 3D Printing, American Conference Institute, Chicago, IL

### **Event | February 15, 2018**

Moderator, Patent Damages 2017: A Year in Review, AIPLA Patent Litigation Committee Damages Subcommittee

### **Event | April 6, 2017**

Panelist, 3D Printing Webinar Series: Intellectual Property

### **Event | March 20, 2017**

Panelist, 3D Printing: Aftermarkets and FDA Regulation, The University of Akron School of Law's 19th Annual Symposium on Intellectual Property Law and Policy

### **Event | February 21, 2017**

Panelist, Product Liability Law: The Uncertain Landscape of 3-D Printing, American Bar Association

### **Event | February 16, 2017**

Moderator, Patent Damages 2016: A Year in Review, American Intellectual Property Law Association Webinar

### **Event | February 16, 2017**

Moderator, Patent Damages 2016: A Year in Review, American Intellectual Property Law Association Webinar

### **Event | February 2, 2017**

Presenter, Counterfeiting in a 3D Printed World, AIPLA Mid-Winter Meeting

### **Event | December 5, 2012**

Litigating Against Non-Practicing Entities: Strategies for Success

### **Event | May 10, 2012**

Presenter, The (Unintended) Consequences of the AIA Joinder Provision, AIPLA Spring Conference

**Event | February 28, 2012**

Presenter, Overcoming Client Development Challenges for Women Lawyers, American Intellectual Property Law Association Webinar

**Event | September 29, 2010**

Presenter, Procedural Issues in Civil Litigation in the Richmond Division of the Rocket Docket, Federal Bar Association

**Event | May 13, 2009**

Speaker, Joint Patent Infringement -- It's Argued, But Does It Really Exist?, American Intellectual Property Law Association Spring Conference

**Event | April 2, 2009**

Presenter, Procedural Pitfalls in Complex Litigation, Second Annual Advanced Business Litigation Institute, Virginia CLE and Virginia Law Foundation

**Publications**

**Publication | Fall 2019**

Co-author, Cannabis Regulation and Policy, *VBA Journal*

**Publication | January 2017**

Author/Editor, 2016 Patent Damages Year in Review

**Publication | June 27, 2016**

Co-author, Open source opens many licensing issues for 3D printing, *Embedded Computing Design*

**Publication | May 17, 2016**

Co-author, The FDA seeks to regulate 3D-printed medical devices, *InsideCounsel*

**Publication | May 17, 2016**

Author, 3D Printing Issues Across Practices, *Bloomberg BNA Electronic Commerce & Law Report*

**Publication | May 9, 2016**

Co-author, 3D Printing and Its Uncertain Products Liability Landscape, *IndustryWeek*

**Publication | April 5, 2016**

Author, 3D Printing Raises New Legal Questions, *IndustryWeek*

**Publication | April 1, 2016**

Co-author, 2015 Patent Damages Year In Review, *IP Frontline*

**Publication | March 9, 2016**

Co-author, How will the FDA regulate 3D printing?, *InsideCounsel*

**Maya M. Eckstein**

**Publication | February 26, 2016**

Co-author, The uncertain products liability landscape of 3D printing, *InsideCounsel*

**Publication | February 9, 2016**

Author, Let's look closer at 3D printing and IP issues, *InsideCounsel*

**Publication | February 4, 2016**

Author, The intriguing new legal questions raised by 3D printing, *InsideCounsel*

**Publication | February 1, 2016**

Author/Editor, 2015 Patent Damages Year in Review

**Publication | 2015**

Editor, 2014 Patent Damages Year In Review

**Publication | July 2014**

Co-author, 2013 Eastern District of Virginia Intellectual Property Year In Review

**Publication | 2014**

Co-editor, 2013 Patent Damages Year In Review

**Publication | August 29, 2012**

Co-author, Don't Let Your Right To Inter Partes Review Slip Away, *Law360*

**Publication | Summer 2012**

Co-author, The Expert of My Enemy Is My Expert: Conflicts of Interests Amongst Expert Witnesses, *Litigation News*, *Virginia State Bar*

**Publication | May 10, 2012**

Co-author, The (Unintended) Consequences of the AIA Joinder Provision, AIPLA Spring Conference

**Publication | June 5, 2009**

Co-author, Business Methods After Bilski, *Law360*

**Publication | May 13, 2009**

Co-author, Joint Patent Infringement, American Intellectual Property Law Association Spring Conference

**Publication | May 28, 2007**

Author, Patent Reform Act proposes new ways to grant and test patents, *Virginia Lawyers Weekly*

**Publication | May 15, 2007**

Co-author, Multiple Defendant Patent Infringement Cases: Complexities, Complications and Advantages



**Maya M. Eckstein**

Publication | May 15, 2007

Co-author, Multiple Defendant Patent Infringement Cases: Complexities, Complications and Advantages (PowerPoint)

Publication | May 15, 2007

Co-author, Multiple Defendant Patent Infringement Cases: Complexities, Complications and Advantages

### **Blog Posts**

Hunton Retail Law Resource | March 2, 2016

Co-author, The Uncertain Products Liability Landscape of 3D Printing

## Lewis F. Powell III

### SPECIAL COUNSEL

lpowell@HuntonAK.com

**Richmond:** +1 804 788 8488



Lewis Powell's litigation practice has ranged from complex intellectual property, commercial, fraud, and antitrust cases; to the nuclear regulatory field and environmental and toxic tort matters; and to telecommunications issues. He has handled trial and appellate matters in state and federal courts and regulatory agencies in more than 15 states. His most recent experience was serving as lead counsel in two related jury trials in federal court in 2018. The first was a "bet the company" antitrust and breach of contract case. We represented the plaintiff. After nearly three weeks of trial, the jury returned its verdict entirely in favor of our client, finding that the defendant had violated Section 7 of the Clayton Act and awarding our client substantial damages. Three months later, in a separate trial against the same adversary, which had alleged in a counterclaim that our client had misappropriated 67 trade secrets, a different jury rejected nearly all of the allegations.

In other notable cases, Lewis was lead counsel in (i) a five-week trial involving the alleged misappropriation of highly confidential software designs; (ii) a jury trial of a multimillion dollar fraud and breach of contract action; and (iii) the defense of a major national retailer in a product liability suit brought by the parents of a toddler who suffered a catastrophic brain injury in a crib accident. He also served as co-counsel in major appellate litigation before the DC Circuit in cases involving national environmental policy.

He is admitted to practice before the United States Supreme Court; the Fourth, Second, and DC Circuit Courts of Appeal; and the United States District Courts for Eastern and Western Districts of Virginia. He is a regular lecturer on federal civil procedure and litigation in the Eastern District of Virginia.

## Experience

- Regularly defended a major financial services company in consumer class actions and other litigation.
- Retained by major national retailer to handle appeal of runaway defamation verdict.
- Represented substantial public companies in separate RICO actions against labor unions, union executives, and affiliated labor organizations.
- Defended major energy company in complex commercial dispute involving allegations of fraud, conspiracy, and breach of contract.

## Lewis F. Powell III

- Represented a leading US pharmaceutical company in major unfair competition and Lanham Act suit against foreign competitor and defending antitrust counterclaim asserted by domestic competitor.
- Represented lead defendants in Missouri dioxin litigation (eight-month jury trial), Hipps Road groundwater contamination litigation in Florida, and Combustion toxic tort litigation in Louisiana.
- Represented one of country's largest telecommunications carriers in state administrative and federal court actions in multiple states arising under the Telecommunications Act of 1996.

## Accolades

- Selected as a Super Lawyer for Business Litigation, *The Washington Post Magazine* and *Virginia & West Virginia Super Lawyers Magazine*, 2006–2021
- Named as a "Master of the Courtroom," *National Law Journal*, 2018
- Listed as a Litigation Star, Virginia, *Benchmark Litigation*, 2019–2024
- Fellow, Virginia Law Foundation
- AV® Peer Review Rated, Martindale–Hubbell
- President, Virginia State Bar Young Lawyers Conference, 1986–1987
- Chairman, Board of Governors of St. Christopher's School, 2009–2013
- Senior Warden, St. Mary's Episcopal Church, 2006

## Affiliations

### Professional

- Member, American Law Institute
- Member, Fourth Circuit Judicial Conference

## Education

JD, University of Virginia School of Law, Executive Editor, *Virginia Law Review*, Raven Society

BA, Washington and Lee University, Frank J. Gilliam Leadership Award, ODK President, Student Government (three years), Varsity Football (three years)

## Admissions

Virginia

## Clerkships

US District Court, Eastern District of Virginia

## Areas of Focus

Litigation

Antitrust and Consumer Protection

Financial Services Litigation

White Collar, Regulatory Defense and Investigations

Fourth Circuit Court of Appeals

## News

**News | June 28, 2024**

Virginia State Bar Recognizes 56 Hunton Andrews Kurth Attorneys for Pro Bono Service

**News | October 5, 2023**

Benchmark Litigation 2024 Recognizes Hunton Andrews Kurth

**News | August 18, 2023**

Judge Thomas B. Griffith and Lewis F. Powell III Named to ABA Task Force for American Democracy

**News | September 29, 2022**

Benchmark Litigation 2023 Recognizes Hunton Andrews Kurth

**News | August 18, 2022**

Best Lawyers in America 2023 Recognizes 261 Hunton Andrews Kurth Attorneys

**News | November 17, 2021**

Global Investigations Review Names Hunton Andrews Kurth to GIR 100 2021

**News | November 2, 2021**

Hunton Andrews Kurth Verdict Recognized in the National Law Journal's Hall of Fame

**News | October 12, 2021**

The American Antitrust Institute Honors Hunton Andrews Kurth in 2021 Antitrust Enforcement Awards

**News | September 30, 2021**

Benchmark Litigation 2022 Recognizes Hunton Andrews Kurth

**Media Mention | July 30, 2021**

Featured, The Powell Memo, *Virginia Business*

**News | May 6, 2021**

Super Lawyers Recognizes 22 Hunton Andrews Kurth Lawyers in Virginia

**News | October 2, 2020**

Benchmark Litigation Recognizes Hunton Andrews Kurth in 2021 Rankings

**News | March 5, 2020**

Hunton Andrews Kurth Named 2020 Virginia Firm of the Year by Benchmark Litigation

**News | November 1, 2019**

Hunton Andrews Kurth Recognized as a 2019 Top 100 Firm by Global Investigations Review

**News | October 1, 2019**

Benchmark Litigation Recognizes Hunton Andrews Kurth in 2020 Rankings

**News | July 24, 2019**

The National Law Journal Recognizes Hunton Andrews Kurth in the Nation's Top 100 Verdicts of 2018

**News | October 26, 2018**

Hunton Andrews Kurth Announces 2019 Benchmark Litigation Rankings

**News | October 15, 2018**

Lewis F. Powell III Named American Lawyer's Co-Litigator of the Week

**News | September 11, 2018**

Lewis F. Powell III Named Among National Law Journal Winning Litigators



## Kevin S. Elliker

### COUNSEL

kelliker@HuntonAK.com

**Richmond:** +1 804 788 8656 **Washington, DC:** +1 202 955 1500



Kevin draws on his experience as a federal prosecutor in the Eastern District of Virginia and an investigative counsel for the congressional investigation into January 6th to help clients in complex trials, appeals, and government investigations. Across his career in public service and private practice, Kevin has tried criminal and civil cases to juries, argued before the US Court of Appeals for the Fourth Circuit, prepared Supreme Court and appellate briefs, handled dozens of contested motions and hearings in state and federal courts, and represented clients in civil, criminal, and congressional investigations.

Between 2021 and 2022, Kevin served as Investigative Counsel to the House Select Committee to Investigate the January 6th Attack on the United States Capitol. In that role, Kevin conducted more than 60 interviews and depositions, briefed Members and their staff, coordinated the presentation of evidence for the Committee's landmark televised hearings, and contributed to the Committee's final report. Before joining the Select Committee, Kevin served as an Assistant United States Attorney in the Eastern District of Virginia, where he investigated and prosecuted fraud, weapons, drug, and child-exploitation offenses. He also supervised the Eastern District's Suspicious Activity Report (SAR) review teams to identify leads for criminal investigations and served as the Richmond Division's District Election Officer, the prosecutor responsible for overseeing the handling of complaints of election fraud and voting rights concerns.

A native Virginian, Kevin graduated from James Madison University with undergraduate and master's degrees and worked as a high school social studies teacher before attending law school. After graduating first in his class at William & Mary Law School, Kevin served as a law clerk to the Honorable John A. Gibney, Jr. of the United States District Court for the Eastern District of Virginia, and then to the Honorable Robert B. King of the United States Court of Appeals for the Fourth Circuit. Following his clerkships, Kevin began his career as a litigation associate in the firm's Richmond office. In 2018, Kevin earned the firm's annual writing award for the best legal brief written by an associate.

Kevin maintains an active pro bono practice and has represented pro se litigants with constitutional and civil rights claims in the Fourth Circuit and the Eastern and Western Districts of Virginia. He volunteers as a mentor with The Appellate Project, a nonprofit organization focused on encouraging and empowering law students of color to excel in the field of appellate law. Kevin is also the host of the firm's podcast Holding Fourth, which explores topics related to practicing before the US Court of Appeals for the Fourth Circuit.

Kevin S. Elliker

## Experience

### Trial Litigation

- Obtained defense jury verdict in Title IX action brought against public school division in the Eastern District of Virginia.
- Obtained defense jury verdict in \$50 million acquisition dispute brought against successful homebuilder in the Middle District of Georgia.
- Briefed, argued, and secured denial of class certification in *Branch v. Government Employees Insurance Company*, 323 F.R.D. 539 (E.D. Va. 2018), a putative class action brought under the Fair Credit Reporting Act.
- Represented municipal utility provider in state court condemnation action.
- Represented two university athletes in federal civil lawsuit involving allegations of hazing brought by former teammate and related university conduct proceedings.

### Appeals

- Represent energy utilities and state government in Clean Air Act challenges to disapproval of state implemental plans regarding the interstate transport of ozone in the Fourth, Eighth, and DC Circuits.
- Represented retired United States Circuit Judges before the US Supreme Court as amicus curiae in support of certiorari in *Novartis Pharmaceuticals Corp. v. HEC Pharm Co., Ltd.*, No. 22-671.
- Represented former State Department Legal Advisors before the US Supreme Court as amicus curiae in *Twitter, Inc. v. Taamneh*, 598 U.S. 471 (2023).
- Briefed, argued, and secured reversal in *Stewart v. Iancu*, 912 F.3d 693 (4th Cir. 2019), a case of first impression regarding the application of Title VII's 180-day waiting period for federal employees with claims of employment discrimination.
- Briefed *In re Murphy-Brown, LLC*, 907 F.3d 788 (4th Cir. 2018), a major First Amendment case in which the Fourth Circuit granted a writ of mandamus striking down as unconstitutional a "gag order" entered in multiple civil cases involving alleged agricultural nuisances.
- Represented natural gas pipeline in challenges to state and federal permits raised under the Natural Gas Act in the Fourth Circuit.
- Represented major retailer in post-trial motions and on appeal in multimillion dollar personal injury dispute.

Kevin S. Elliker

## Government and Internal Investigations

- Represented and defended national accounting firm in multiple ongoing state and federal investigations relating to firm's audits of crypto companies.
- Advised corporate clients on the use of ephemeral communications systems in response to updated guidance from the US Department of Justice.
- Assisted in an independent review commissioned by the City of Charlottesville, Virginia, to examine the City's response to protest events in the summer of 2017, resulting in a published report detailing the independent review's findings.

## Pro Bono Representation

- Represent Richmond residents in lawsuit brought under the Ku Klux Klan Act of 1871 against alleged white supremacist group responsible for vandalizing and destroying a mural honoring Arthur Ashe.
- Served as court-appointed appellate lawyer for federal employee in disability discrimination case brought against federal agency.
- Served as court-appointed trial lawyer for inmate in federal civil rights lawsuit brought against correctional officer for use of excessive force.
- Represented veteran seeking reinstatement of educational benefits in appeal to US Court of Appeals for Veterans Claims.
- Represented state inmate in federal habeas challenge to unconstitutional conviction.
- Represented a Sudanese national in challenge to executive order suspending immigration from certain countries, resulting in client's immigration and lawful permanent residency in the United States.

## Accolades

- Named among the American Bar Association Young Lawyers Division 2024 One the Rise – Top 40 Young Lawyers, 2024

## Affiliations

### Professional

- Member, Federal Bar Association
- Member, Richmond Bar Association
- Member, Lewis F. Powell, Jr. American Inn of Court

Kevin S. Elliker

- Mentor, The Appellate Project

## Education

JD, William & Mary Law School, summa cum laude (graduated first in class), Order of the Coif, Lawrence W. l'Anson Prize, Order of the Barristers, Lead Articles Editor, *William & Mary Law Review*, 2014

MAT, Secondary Education, James Madison University, 2009

BS, Interdisciplinary Social Science, James Madison University, 2008

## Admissions

District of Columbia

Virginia

## Courts

US Supreme Court

Supreme Court of Virginia

US Court of Appeals, Second Circuit

US Court of Appeals, Fourth Circuit

US Court of Appeals, Fifth Circuit

US Court of Appeals, Sixth Circuit

US Court of Appeals, Eighth Circuit

US Court of Appeals, Ninth Circuit

US Court of Appeals, Eleventh Circuit

US Court of Appeals, District of Columbia Circuit

US District Court, Eastern District of Virginia

Kevin S. Elliker

US District Court, Western District of Virginia

## Government Service

Investigative Counsel, US House of Representatives Select Committee to Investigate the January 6th Attack on the United States Capitol

Assistant United States Attorney, Eastern District of Virginia

Intern, Civil Division, US Department of Justice

## Clerkships

US Court of Appeals, Fourth Circuit

US District Court, Eastern District of Virginia

## Areas of Focus

Appeals

Litigation

Congressional Investigations

Fourth Circuit Court of Appeals

White Collar, Regulatory Defense and Investigations

Rocket Docket Practice (US District Court for the Eastern District of Virginia)

## News

News | June 28, 2024

Virginia State Bar Recognizes 56 Hunton Andrews Kurth Attorneys for Pro Bono Service

News | June 5, 2024

American Bar Association Recognizes Kevin Elliker Among its Top 40 Young Lawyers

News | April 25, 2024

Super Lawyers Honors 22 Hunton Andrews Kurth Lawyers in Virginia



Kevin S. Elliker

**News | September 26, 2023**

Georgia Developer Prevails in \$50 Million Acquisition Dispute With American Southern Homes Holdings

**Media Mention | March 17, 2023**

Featured, Investigations & Appeals Lawyer, Former Federal Prosecutor, and Former Investigative Counsel to the January 6th House Select Committee, How I Lawyer Podcast with Jonah Perlin

**Media Mention | March 3, 2023**

Quoted, Bench Report: Judges: Reject Panel Rehearing Rule + Biden Nomination Train Keeps on Chugging, *Law.com*

**Media Mention | February 22, 2023**

Quoted, Ex-Judges Slam Panel Swap That Sunk Novartis Patent Win, *Law360*

**Media Mention | February 16, 2023**

Mentioned, The Jan. 6 committee attorney diaspora, *Politico*

**Media Mention | January 10, 2023**

Quoted, Fourth Circuit's 'Tip of the Spear' Sets Plan to Retire This Year, *The National Law Journal*

**Media Mention | October 31, 2022**

Quoted, Jan. 6 Committee Poses New Headache for Congressional Investigations Lawyers: Video Depositions, *National Law Journal*

**News | October 19, 2022**

Former January 6th Select Committee Investigative Counsel and Federal Prosecutor Kevin Elliker Returns to Hunton Andrews Kurth in Richmond

**Media Mention | October 19, 2022**

Featured, Investigator in Jan. 6 probe returns to law firm Hunton Andrews Kurth, *Reuters*

**Media Mention | October 19, 2022**

Featured, Former Jan. 6 Investigator Rejoins Hunton Andrews Kurth, *National Law Journal*

**News | January 30, 2019**

Hunton Andrews Kurth Secures Fourth Circuit Victory in Pro Bono Title VII Suit

## Insights

### Legal Updates

**Podcast | February 20, 2024**

Holding Fourth Podcast: Fourth Circuit Personalities

Kevin S. Elliker

Podcast | January 31, 2024

Holding Fourth Podcast: State Solicitors General — Who Are They and What Do They Do?

Legal Update | June 12, 2023

Supreme Court Resolves Circuit Split on Post-Trial Preservation of Summary Judgment Issues

Legal Update | March 17, 2023

DOJ Announcements on Corporate Compliance Programs, Compensation Clawbacks and National Security

Legal Update | November 30, 2016

Shorter Deadlines, Shorter Briefs: The 2016 Amendments to the Federal Rules of Appellate Procedure

**Publications**

Publication | March 20, 2023

Author, The Ever-Evolving Fourth Circuit, *Virginia Lawyers Weekly*

Publication | February 7, 2018

Author, How Senior Status Vacancies Will Shape The 4th Circ., *Law360*

Publication | November 2017

Co-author, Final Report: Independent Review of the 2017 Protest Events in Charlottesville, Virginia

## Carley Ruival

ASSOCIATE

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Carley focuses her practice on appellate and trial matters in federal courts. Carley litigates across a range of legal practice areas, from federal jurisdiction to environmental law, and has drafted dispositive motions and appellate briefs. She also maintains an active pro bono practice, representing clients who are facing eviction.

While at the University of Richmond School of Law, Carley served as editor-in-chief of the *University of Richmond Public Interest Law Review* and was a legal intern to the Honorable Justice Stephen McCullough of the Supreme Court of Virginia. Between college and law school, Carley lived in Buenos Aires, Argentina, and is fluent in Spanish.

Carley will serve as a law clerk to the Honorable M. Hannah Lauck of the United States District Court for the Eastern District of Virginia in 2024-2025.

### Education

JD, University of Richmond School of Law, magna cum laude

BS, The College of William & Mary, magna cum laude

### Admissions

Virginia

### Languages

Spanish

### Areas of Focus

Appeals

Litigation

## News

Media Mention | January 5, 2023

Mentioned, Trade Groups Urge 5th Circuit To Scrap 'Sweeping' EPA View Of SNUR Power, *Inside TSCA*

## Insights

### Events & Speaking Engagements

Event | February 20, 2024

Presenter, Happenings in the High Court: A Review of the United States Supreme Court's October 2022 Term